IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.313 OF 2006
WITH
CIVIL APPLICATION NO.400 OF 2006

Pandharinath Shridhar Rangnekar. ..Appellant.

V/s.

Mr.V.K.Banatwala & Anr. ..Respondents.

Mr.Havnur for Dilip M. Shah for appellant.

Mrs.Harshal J. Shah for respondent No.1.

Mr.S. John i/b M/s.M.P.Savla & co. for respondent No.2

CORAM: A.M.KHANWILKAR,J

DATE : JUNE 21, 2006.

P.C. :

1. After hearing counsel for the appellant for some time, during the deliberation, across the bar, on instruction of the appellant who is present in the court, learned counsel submits that the court may not record detailed reasons for disposing of this appeal; instead the appeal be disposed of by directing early disposal of the suit, which course will meet ends of justice. Counsel however, submits that the trial court be further directed to decide the suit on its own merit in accordance with the law, uninfluenced by any observation made in the impugned order. The counsel for the respondent have no objection for

adopting this course. Parties through counsel assure before this court that necessary cooperation will be extended to the trial court for early disposal of the suit. In the circumstances, this appeal is disposed of with direction to the trial Court to decide the suit expeditiously preferably by end of March, 2007.

2. It is made clear that all questions are left open to be decided on it own merits in accordance with the law.

3. Civil application disposed of accordingly.